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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/147,359 11/01/93 RANGAN

G 8332327NS202
EXAMINER

NGUYEN, C

ART UNIT PAPER NUMBER

26M1/1115

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2603
DATE MAILED:

11/15/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 6/22/95 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-14 and 18 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☒ Claims 18 are allowed.

4. ☒ Claims 1-14 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

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1. Claims 1-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, "said memory means" (line 25) lacks clear antecedent basis because line 6 defines a receive memory and a transmit memory. At line 25, "said transmit data path" lacks clear antecedent basis because line 12 states that each data station corresponds to a transmit data path. Should "each" be inserted before "said transmit data path."

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103,

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the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

3. Claim 14 is rejected under 35 U.S.C. § 103 as being unpatentable over Sakurai et al. In U.S. patent 4,847,613, Sakurai et al. teaches a receive data path and a transmit data path connected a corresponding station (the preferred embodiment shown in Fig. 1). The receive data path includes a serial-to-parallel converter 27 (deserializer), a latch circuit 28 for latching the data from the serial-to-parallel converter in response to a control signal from the detection circuit 20. The transmit data path has a parallel-to-serial converter 24 (serializer). See Fig. 1 and col. 6, lines 27-33. In the preferred embodiment mentioned above Sakurai et al. do not explicitly recite a receive memory and a transmit memory. In col. 1, line 54-61, Sakurai et al. describe a conventional communications system including a plurality of stations 3 and 4 connected to a communication medium (Fig. 10). Each station comprises a receiving buffer 9 (receive memory means) and a transferring buffer 11 (transmit memory means) connected to a CPU 10. See Fig. 11. It would have been obvious to one skilled in the art to provide the receive data path and the transmit data

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path with a receive buffer and a transmit buffer taught in the conventional system, respectively, because data received from the medium must be stored for further processing by the processor, and transmit data must be temporarily stored to avoid data loss if the medium is not available. Moreover, Sakurai et al. suggest that their receive data path and transmit data path are designed to provide high speed data transfer between the stations of the conventional system (col. 2, lines 13-32). Therefore, to use the data paths with the buffers of the conventional system would have been obvious to one skilled in the art.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (703) 308-5340.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.


C. Nguyen
(703) 308-5340
11/13/95


WELLINGTON CHIN
PRIMARY EXAMINER
GROUP 2600